

REMARKS

Claims 6-10, and 27-37 have been withdrawn in view of the restriction requirement mailed May 4, 2004. Claim 38 has been canceled. Claims 11, 14, 20, and 22 have been amended for clarity purposes. Claim 39 has been newly added. Responsive to the Restriction Requirement, Applicant elects Claims 1-5, 39, and 11-26 (Group I) with traverse for examination on the merit. Also responsive to the Restriction Requirement, Applicant provisionally elect with traverse DNA helicase II from the Markush group of proteins as identified by the Office Action.

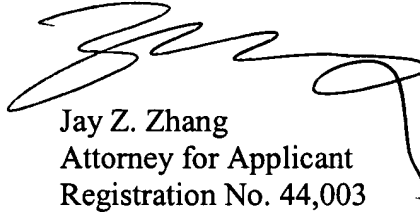
Applicant notes that relevant prior art on such protein-protein interactions is scarce. The search for such relevant prior art is relative simple, which can be performed by a Boolean search using the names of a pair of interacting proteins. Therefore, there is no undue burden on the part of the PTO in searching and examining the claims with all members of the Markush group together. Indeed, Applicant invites the Examiner to spend five (5) minutes to try the Boolean search using the name of the first protein in combination of the name of a second protein in the Markush group. The lack of undue burden would be immediately clear. Thus, Applicant respectfully requests that the requirement of selecting one second polypeptide be withdrawn, as is dictated by the MPEP §803.

Applicant notes that, like Claims 9-10, which are grouped in the same group as Claims 1-5, Claims 11-26 as amended are directed to a method of selecting modulators of the protein complex in Claims 1-5. Applicant is now replacing Claims 9-10 with Claims 11-26 in Group I, and requests that Claims 1-5, 11-26 and 39 be examined together on the merit. Applicant also notes that the relationship between the amended Claims 11-26 and Claims 1-5 and 39 is a relationship of composition of matter and process of using the composition of matter. In the event that the Examiner declines to replace Claims 9-10 with the amended Claims 11-26 in Group I, Applicant reserves the right to elect under 35 USC §103(b) to request the entry of the process claims 11-26. See MPEP §706.02(n).

In view of the foregoing it is respectfully submitted that this application is now in condition for substantive examination on the merit. Early issuance of a notice allowance is respectfully requested.

It is not believed that any time extension or fees are required with this response. If this is incorrect, an extension of time as deemed necessary is hereby requested, and the Commissioner is hereby authorized to charge any appropriate fees or deficiency or credit any over payment to Deposit Account no. 50-1627.

Respectfully submitted,



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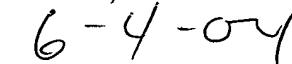
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Michael Moreno



Date